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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/339,634	06/24/1999	SCOTT C. COTTRILLE	777.204US1	2835

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EXAMINER

ROMERO, ALMARI C

ART UNIT PAPER NUMBER

2176

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/339,634

Applicant(s)

COTTRILLE ET AL.

Examiner

Almari Romero

Art Unit

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-- The MAILING DATE of this communication appears in the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/24/99 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This action is responsive to communications: Application filed on 6/15/99.
2. Claims 1-19 are pending in the case. Claims 1, 7, and 16 are independent claims.

Drawings

3. The formal drawings filed on 6/24/99 were approved by the Draftsperson.

Information Disclosure Statement

4. The references USPN 5,146,552 and non-patent reference "Annotation Systems" listed in the Information Disclosure Statement filed on 6/24/99 have been a considered, however, all other documents related to "Alexa 3.0 – Quick Tour" and "Annotation Systems" fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Specification

5. The abstract of the disclosure is objected to because applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Correction is required. See MPEP § 608.01(b).

6. The disclosure is objected to because of the following informalities:

On page 1, "Related Inventions" section of the specification, Applicant is reminded to insert related applications serial numbers and the status of each application, if allowed or in patent prosecution.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yehuda et al. (USPN 6,266,683 B1 - filed on 7/24/1997) in view of Sidana (USPN 6,081,829 - filed on 1/31/1996).**

Regarding independent claim 1, Yehuda et al. (Yehuda) discloses:

A method of associating an annotation with a content source, the method comprising:
representing an annotation as an object having a plurality of properties wherein one of the plurality of properties (Yehuda on col. 11, line 52 – col. 12, line 6: teaches associating stored comments (annotations) made by participants with documents or segments of documents).

However, Yehuda does not explicitly disclose, “using document identifier to identify the content source”.

Sidana on col. 2, lines 22-40: teaches URL to locate documents stored on the server to associate document with annotation.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sidana into Yehuda to provide a URL as the document identifier to identify a document and associate annotation with document in order for the user to

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easily modify annotations associated with the document in a web document processing environment.

Regarding dependent claim 2, Yehuda discloses:

wherein the act of representing the annotation as an object having a plurality of properties further comprises defining generic properties of the annotation (Yehuda on col. 12, line 7 – col. 13, line 14: teaches comment containing fields of information identifying the comment).

Regarding dependent claim 3, Yehuda discloses:

wherein the generic properties are selected from the group consisting of type, content, author name, creation time, modify time, time to-live, document identifier, index and parent identifier (Yehuda on col. 17, lines 5-30: teaches comment containing author, time and date).

Regarding dependent claim 4, Yehuda discloses:

wherein the type property of the annotation is selected from the group consisting of: a text file, a threaded message, an audio file, a video file, a calendar file, and a chat (Yehuda on col. 12, line 7 – col. 13, line 14: teaches comments within a text file).

Regarding dependent claim 5, Yehuda discloses:

wherein the act of representing the annotation as a object having a plurality of properties further comprises define one or more type specific properties unique to the type property of the annotation (Yehuda on col. 12, line 7 – col. 13, line 14: teaches comment provided with unique identifier).

Regarding dependent claim 6, Sidana discloses:

wherein the document identifier is selected from the group consisting of: a file name, a directory path, and a uniform resource locator (Sidana on col. 2, lines 22-40 and col. 6, lines 1-10: teaches URL (uniform resource locator).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sidana into Yehuda to provide a URL as the document identifier to identify a document and associate annotation with document in order for the user to easily modify annotations associated with the document in a web document processing environment.

Regarding independent claim 7, Yehuda discloses:

A method of presenting an annotation associated with a content source, the method comprising:

a reference to a tier II server maintaining additional information (Yehuda on col. 4, lines 8-24 and col. 5, lines 6-60: teaches document management system containing all information related to comments submitted by participants).

However, Yehuda does not explicitly disclose, “document identifier for a content source to tier I server”.

Sidana on col. 2, lines 22-40: teaches URL to locate documents stored on the server to associate document with annotation.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sidana into Yehuda to provide a URL as the document identifier to identify a document and associate annotation with document in order for the user to

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easily modify annotations associated with the document in a web document processing environment.

Regarding dependent claims 8 and 9, Yehuda discloses:

displaying the first response in a manner that is non-intrusive or intrusive to the content source (Yehuda on col. 5, lines 6-60: teaches participant may request documents for revision or just to view (not modify)).

Regarding dependent claim 10, Yehuda discloses:

further comprising:

sending a request to the tier II server for additional information for one of the annotations associated with the content source (Yehuda on col. 5, lines 6-60: teaches participant requesting additional information related to the submitted comment associated with modified document).

However, Yehuda does not explicitly disclose, "reference to a tier III server".

Sidana on col. 5, lines 23-31: teaches third server to service user with requested information.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sidana into Yehuda to provide a third server to provide requesting information to the user in order to provide a reliable networking system to service users in a network environment.

Regarding dependent claims 11 and 12, Yehuda discloses:

further comprising displaying the one or more properties for the annotation in a manner that is non-intrusive or intrusive to the content source (Yehuda on col. 5, lines 6-60: teaches comments may be displayed to the participant for revision or just to view (not modify)).

Regarding dependent claim 13, Sidana discloses:

sending to tier III server an annotation identifier for the annotation associated with the content source; and receiving a third response from the tier III server, wherein the third response comprises a body for the annotation identified by the annotation identifier (Sidana on col. 5, lines 23-31: teaches third server to service user with requested information).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sidana into Yehuda to provide a third server to provide requesting information to the user in order to provide a reliable networking system to service users in a network environment.

Regarding dependent claims 14 and 15, Yehuda discloses:

further comprising displaying the body for the annotation identified by the annotation identifier in a manner that is non-intrusive or intrusive to the content source (Yehuda on col. 5, lines 6-60 and col. 12, line 7 – col. 13, line 14: teaches displaying comment identified by comment ID participant to review and modify comments or just to view (not modify)).

Regarding claims 16-19, the limitations of claims 16-19 are a computer readable medium for processing the method of claims 1-15 and are rejected under the same rationale.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


USPN 6,389,434 B1 – Rivette et al. – filed on 4/09/1998

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR
July 26, 2002


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100